

REMARKS

Claims 1-8 are pending in the case. Claim 1 is rejected under 35 U.S.C. § 112, second paragraph. Claims 1-8 are rejected under 35 U.S.C. § 103(a) as unpatentable over Brotz (U.S. Patent 4,882,681; hereafter "*Brotz*") in view of Adachi *et al.* (U.S. Patent 4,866,670; hereafter "*Adachi*") and Davitt *et al.* (U.S. Patent 5,392,343; hereafter "*Davitt*"). The abstract and claims 1-8 have been herein amended. No new matter has been introduced. Reconsideration of the present application is respectfully requested.

Claim Rejection under 35 U.S.C. § 112

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the rejection states that "[c]laim 1 recites the limitations 'the other person's language' in Line 4, 'the time of establishing a phone line' in Lines 8-9, and 'the fee' in Line 21" and "[t]here is insufficient antecedent basis for these limitations in the claim."

Applicants have amended claim 1 to correct these errors. Claim 1 has not been narrowed by this amendment. Applicants respectfully request that the claim rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Brotz* in view of *Adachi* and further in view of *Davitt*.

Applicants respectfully traverse the rejection.

The present invention relates to a method for providing translation service for a communication system, including mobile communication system, such as a cellular phone system, *through a network* (e.g., a fixed telephone network and an Internet telephone network). According to the present method, the information regarding languages to be translated and the telephone numbers of a plurality of telephone terminals are delivered to a translating apparatus provided in the network, either simultaneously with or subsequent to establishing the phone connection. Furthermore, the method of the invention includes a step in which the *time required for the translation is counted by an accounting apparatus* which is also provided in the network. Thus, the translation fee can be automatically calculated and charged to a customer in addition to a regular call fee.

Brotz discloses a method for simultaneous translation of conversation between two parties using transmitters/receivers that broadcast languages translated by a remote computer back and forth between the parties (Abstract).

As the Office Action acknowledges, *Brotz* does not teach or even suggest a means for counting the translation time for the purpose of calculating a translation fee.

To cure this deficiency in *Brotz*, the Office Action has combined *Brotz* with the teachings of *Adachi*.

Adachi discloses a machine translation processor which comprises an input means, a memory means, a translation processing means, a time measuring means, a dividing means, a control means and a display means (see Fig. 1 and Abstract).

Firstly, there is no suggestion or motivation in *Adachi* or *Brotz* that the disclosed translation processor can be applied to a translation service for a mobile communication system through a network.

Secondly, the machine translation system of *Adachi* relates to translations of *written languages* which are displayed on a computer monitor, whereas the presently claimed invention relates to translations of *spoken languages* through telephone communication network. Further, The translating device of *Brotz* also relates to translations of spoken languages and there is no motivation for one with ordinary skill in the art, who is interested in translations of spoken languages, to look to *Adachi* to come up with the translation method of the presently claimed invention.

Thirdly, although the translation processor of *Adachi* includes a “time measuring means” for the translation time, it has a predetermined ceiling time to stop measuring, upon which it acts as a switching mechanism between a full translation and multiple partial translations of the input sentence (*see col. 4, lines 15-25*). This is to allow a user of the system to edit partial translations manually to complete the translation efficiently when the input sentence is complicated and takes long time for the processor to translate the full sentence (*see col. 4, line 25 through col. 5, line 17*). Namely, the time measuring means of *Adachi* would not count the translation time once the translation time reaches the predetermined ceiling. And when that happens, the translation processor of *Adachi* would not even give a full translation of the entire sentence and, therefore, it is impossible to measure the entire time required to complete the full translation.

Accordingly, *Adachi* neither teaches nor suggest the accounting apparatus taught in the present invention to count the time required for an entire translation of the conversations between the multiple parties who are communicating over a network, so that the translation fee can be charged.

Thus, there is neither suggestion nor motivation either in *Brotz* or *Adachi* to look to each other to come up with the method for providing translation service of the present invention.

The Office Action further cites *Davitt* stating that the latter “recites adding services for a language translator (interpreter) to a billing for an actual telephone call” and that “it would have been obvious to one of ordinary skill in the art, at the time of invention, that a call to a language interpreter would be billed in a manner similar to common phone call and thus, determined by the call time since the call is a bridged separate call to an additional service and features a separate toll switch (*col. 5, Line 49-Col. 5, and Fig. 1, Element 28*).”

Applicants respectfully disagree with the statement.

Davitt discloses a translation service, in a telecommunications system, provided by live interpreters using a common platform adjunct which automatically connects a call to a selected interpreter on demand. *Davitt* simply states, in the portion cited by the Office Action, that since the addition of the interpretation services begins at the router PBX 36 (*see Fig. 1*), the subscriber’s destination number must be delivered to the PBX 36 “so that the bill for the interpretation service can appear on the regular bills relating to the caller’s telephone.” There is no descriptions as to how such fees can be determined and billed. And it is certainly not obvious from the description that “a call to a language interpreter would be billed in a manner similar to common phone call and thus, determined by the call time” as the Office Action asserts, especially because the translation services in *Davitt* involves not a machine but live interpreters.

Thus, the present claims as amended are not obvious at all over *Brontz*, *Adachi* and *Davitt*, either each alone or in combination and applicants respectfully request that the claim rejections under 35 U.S.C. § 103(a) be withdrawn.

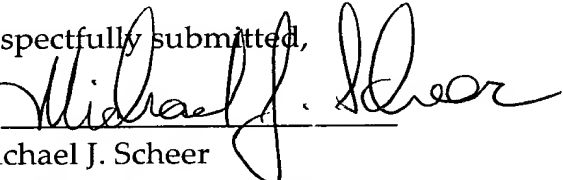
Applicants believe the claims are now in condition for allowance, early notification of which is earnestly requested.

No fee is believed to be due for this submission. Should any fee(s) be required, please charge such fee(s) to Deposit Account No. No. 50-2215.

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Respectfully submitted,

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Attachment: ABSTRACT page.